

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESAL PRICE  
LITIGATION

MDL No. 1456  
Master File No. 01-12257-PBS  
Subcategory Case No. 07-12141-PBS

THIS DOCUMENT RELATES TO:

Judge Patti B. Saris

*State of Iowa v. Abbott Laboratories, et al.*

**STIPULATION OF DISMISSAL OF CLAIMS  
AGAINST MYLAN WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff the State of Iowa (the “Plaintiff” or “State”) and Defendants Mylan Inc. (formerly known as Mylan Laboratories Inc.), Mylan Pharmaceuticals Inc. and UDL Laboratories, Inc. (the State, Mylan Inc., Mylan Pharmaceuticals Inc. and UDL Laboratories, Inc. shall be collectively referred to as the “Parties”) that:

1. On or about October 8, 2007, Plaintiff filed its Complaint against Mylan Inc., Mylan Pharmaceuticals Inc. and UDL Laboratories, Inc. in the case entitled *In re Pharmaceutical Average Wholesale Price Litigation, State of Iowa v. Abbott Laboratories, et al.*, (Master File No. 01-12257-PBS, Subcategory Case No. 07-12141-PBS; Original Southern District of Iowa No. 07-CV-00461) (the “Litigation”); and

2. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the terms of the Settlement Agreement and Release between the Parties, the Parties hereby stipulate to entry of an Order dismissing with prejudice all claims asserted or that could have been asserted against Mylan Inc., Mylan Pharmaceuticals Inc. and UDL Laboratories, Inc. in the Litigation.

The undersigned Parties hereto respectfully request the Court to enter an Order in the form of attached hereto.

Dated: August 24, 2011.

Respectfully submitted,

By: /s/ Joanne M. Cicala  
Joanne M. Cicala  
Daniel Hume  
KIRBY MCINERNEY LLP  
825 Third Avenue  
New York, NY 10022  
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*On Behalf of Plaintiff the State of Iowa*

By: /s/ William A. Escobar  
William A. Escobar  
Christopher C. Palermo  
KELLEY DRYE & WARREN LLP  
101 Park Avenue  
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*On Behalf of Defendants Mylan Inc. (f/k/a  
Mylan Laboratories Inc.), Mylan  
Pharmaceuticals Inc. and UDL Laboratories,  
Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL No. 1456  
Master File No. 01-12257-PBS  
Subcategory Case No. 07-12141-PBS

THIS DOCUMENT RELATES TO:

Judge Patti B. Saris

*State of Iowa v. Abbott Laboratories, et al.*

**ORDER OF DISMISSAL OF CLAIMS  
AGAINST MYLAN WITH PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff the State of Iowa (the “Plaintiff” or “State”) and Defendants Mylan Inc. (formerly known as Mylan Laboratories Inc.), Mylan Pharmaceuticals Inc. and UDL Laboratories, Inc. (collectively, “Mylan”), by and through their respective counsel, have filed a Stipulation of Dismissal of Claims Against Mylan with Prejudice (the “Stipulation of Dismissal”), dismissing with prejudice all claims asserted or that could have been asserted against Mylan in the above-captioned action. Upon due consideration of the Stipulation of Dismissal and the papers on file in the above-captioned action,

IT IS HEREBY ORDERED that, consistent with the terms of the Settlement Agreement and Release between the State and Mylan, all claims asserted or that could have been asserted against Mylan in the above-captioned action shall be dismissed with prejudice and without costs to any party.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2011.

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Hon. Patti B. Saris  
United States District Court

**CERTIFICATE OF SERVICE**

I hereby certify that on August 24, 2011, I caused a true and correct copy of the foregoing Stipulation of Dismissal of Claims Against Mylan with Prejudice to be served on counsel of record for each party through the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ James Carroll  
KIRBY McINERNEY LLP